

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CARL and MARY SUE McLAUGHLIN,  
individually and on behalf of  
their daughter, EMMA McLAUGHLIN,  
a minor,

Plaintiffs,

Case No. 1:00-CV-69

v.

HON. DAVID W. McKEAGUE

BOARD OF EDUCATION OF HOLT  
PUBLIC SCHOOLS, TOM DAVIS, TOM  
WEST, BOARD OF EDUCATION OF  
EAST LANSING PUBLIC SCHOOLS,  
THOMAS GIBLIN, PHYLLIS PIETKA,  
INGHAM INTERMEDIATE SCHOOL  
BOARD, MICHIGAN STATE BOARD OF  
EDUCATION, and ARTHUR E. ELLIS,

Defendants.

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**JUDGMENT ORDER**

In accordance with the Court's written opinion of even date,

**IT IS HEREBY ORDERED:**

1. With respect to the claim of plaintiffs Carl and Mary Sue McLaughlin under the Individuals with Disabilities Act ("IDEA"), 20 U.S.C. §§ 1400 *et seq.*, challenging the September 25, 1999 Decision and Order of State Hearing Review Officer William Sosnowsky, upholding the April 1999 individualized education program ("IEP") of defendant Board of Education of Holt Public Schools:

(a) That plaintiffs are hereby **AWARDED JUDGMENT** in their favor;

(b) That Review Officer Sosnowsky's decision is **REVERSED**; and

(c) That defendants Board of Education of Holt Public Schools, Tom Davis and Tom West are hereby **ORDERED** to afford Emma McLaughlin a free appropriate public education designed to meet the goals and objectives established in the April 1999 IEP in a general education setting at Dimondale Elementary School during the 2000-2001 school year, with delivery of special education services in the elementary level resource room; and

**2.** With respect to plaintiffs' IDEA claim against defendant Board of Education of East Lansing Public Schools in connection with the December 1999 IEP for Emma McLaughlin:

(a) That, to the extent plaintiffs' claim is premised on alleged procedural violations, the claim is **DENIED**; and

(b) That plaintiffs' claim for substantive relief is in all other respects **DENIED** as moot, it having been substantially rendered moot by the August 7, 2000 Decision and Order of State Hearing Review Officer Sidney Kraizman; and

**3.** With respect to the counterclaim of defendant East Lansing under the IDEA, challenging Review Officer Kraizman's

August 7, 2000 decision, altering the December 1999 IEP;

(a) That counterclaimant East Lansing is **AWARDED PARTIAL JUDGMENT** in its favor, insofar as Review Officer Kraizman's decision includes the requirement that East Lansing provide special education services to Emma McLaughlin by a teacher consultant with an endorsement in teaching the mentally impaired, which requirement is hereby **VACATED**; and

(b) That the counterclaim is in all other respects **DENIED**, as Review Officer Kraizman's decision is in all other respects **AFFIRMED**.

Dated: March \_\_\_\_, 2001

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DAVID W. McKEAGUE  
UNITED STATES DISTRICT JUDGE